



**Colville National Forest**  
765 South Main Street  
Colville, WA 99114  
<http://www.fs.fed.us/r6/colville>



**U.S. Institute for Environmental Conflict Resolution**  
130 South Scott Ave  
Tucson, AZ 85701  
<http://www.ecr.gov>



**Pend Oreille Public Utility District**  
PO Box 190  
130 North Washington  
Newport, WA 99156  
<http://www.popud.com/>

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Media Contacts: Forest Service Public Affairs, 509-684-7177  
PUD Public Information, 509-447-9345  
USIECR Contact, 520-901-8546

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## **Sullivan Creek Project Negotiation Team Third Mediated Session**

On February 4 and 5, 2009, the third mediated session of the settlement negotiation team for the surrender of the Federal Energy Regulatory Commission (FERC) license for the Sullivan Creek Hydroelectric Project met in Spokane, Washington. The negotiation team, which is made up of a mix of state and federal agencies, non-governmental organizations, the public utility district, local officials, and representatives of the local community, is working with the help of the U.S. Institute for Environmental Conflict Resolution to find options for resolving the issues for surrendering of the Project license.

At its third meeting, the negotiation team continued the information gathering process by listening to presentations from the Washington Department of Ecology relating to the Columbia River Initiative and from the Washington Department of Fish & Wildlife concerning fisheries issues. The Pend Oreille Public Utility District and the Washington State Department of Ecology also reported on sedimentation, water quality, and structural issues relating to Mill Pond.

The negotiation team is considering various options and the interests of all stakeholders that must be addressed to find acceptable solutions. At the meeting, the team came to an agreement that the existing Sullivan Dam should remain in place. The team also identified that there may be opportunities in Sullivan Creek that could serve as protection, mitigation and enhancement measures in the FERC relicensing process for Boundary Dam. A negotiation team subgroup of agency and tribal representatives who are involved in both the Sullivan group and Boundary relicensing process was formed to discuss these measures.

Several options are being considered for Mill Pond, including dam removal. In considering the options, the parties understand the importance of recreational opportunities that exist now at Mill Pond and the importance of continuing to provide those opportunities.

The team formed several work groups to tackle the considerable study and data collection needed to put together a package of measures that can assure that all of the economic, recreational and resource needs are met. The team is also gathering information on alternative funding resources to defray potential costs to the ratepayers.

The next mediation session is scheduled for March 4<sup>th</sup> and 5<sup>th</sup> in Newport, Washington, at the public utility district offices. A public meeting that includes members of the negotiation team is also planned for the evening of March 4<sup>th</sup> at the Cutter Theater in Metaline Falls to update anyone interested in the process. Information about the public meeting is posted on the project's website at <http://sullivancreek.ecr.gov>.

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